

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ASAHARA et al.

Art Unit: 1645

Application No.: 10/772,271

Examiner: Brian J. GANGLE

Filing Date: February 6, 2004

Attorney Ref. No.: US-107

For: GENE INVOLVED IN  
POLYSACCHARIDE  
PRODUCTION AND  
UTILIZATION THEREOF

Confirmation No.: 4145

**RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT**

**Mail Stop AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Responsive Amendment dated 29 March 2007 (“Notice”), which set a thirty-day, non-statutory period for response, please consider the following arguments. Furthermore, in a telephone discussion with Examiner Gangle on 05 April 2007, it was agreed that the basis for non-responsiveness will be withdrawn, and the Amendment and Response filed on 08 January 2007 will be fully considered and examined. Examiner Gangle requested that a response presenting arguments as discussed during our phone conversation be filed, and therefore, is submitted herewith.

Remarks begin on page 2.